

REMARKS

Claims 1, 4 - 8 and 10 - 17 remain pending.

Claims 1, 4 - 8, 10 - 12 and 17 are rejected under 35 U.S.C. 103(a) over Sheikh (5,213,838). This rejection is respectfully traversed.

The present invention relates to a low-sodium aqueous solution for seasoning food and which contains potassium chloride, a very bitter compound. The solution also has a specific ingredient, tartaric acid, in a concentration of 8 - 18% to mask that potassium bitterness. As the Examiner appears to concede, Sheikh does not disclose or suggest the use of tartaric acid in a low-sodium product based on potassium chloride.

The Examiner has asked for comparative data showing that tartaric acid is superior to the citric acid used by Sheikh. However, the Sheikh reference alone does not establish a prima facie case of obviousness, since it does not disclose the use of tartaric acid in a low-sodium composition or suggest that tartaric acid is equivalent to citric acid in a food seasoning.. Without citing this element of the claims in the prior art, a prima facie case has not been made out. Therefore, evidence of superior or unexpected results to rebut a prima facie case are not required.

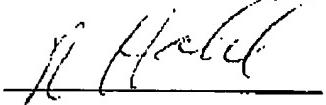
Claims 13 - 16 are rejected under 35 U.S.C. 103(a) over Sheikh in view of Tanpei (58-081758).

The supporting reference, Tanpei, is cited to show the use of flavoring agents in a potassium chloride product. However, only citric acid is disclosed, not tartaric acid. Accordingly, Tanpei fails to cure the deficiencies of the primary reference as discussed above.

Applicants submit that the case is not in condition for allowance.

Respectfully Submitted,

2/14/07
DATE


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Date/Time: February 14, 2007 (1:53pm)

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